

STATUS OF THE CLAIMS

Claims 1-21 were originally filed in this patent application. In response to the first office action dated 8/30/05, applicants filed an amendment on 11/30/05 that cancelled claims 12, 13, 17, 18, 20 and 21 and amended claims 1, 4-6, 9-11, 16 and 19. In the pending office action, claims 11, 14-16 and 19 were rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter. Claims 1-11, 14-16 and 19 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Application Publication 2002/0112102 to Tarui *et al.* (hereinafter “Tarui”) in view of U.S. Patent No. 6,330,656 to Bealkowski *et al.* (hereinafter “Bealkowski”). No claim was allowed. In this amendment, claims 1, 4-6, 9-11, 16 and 19 have been amended. Claims 1-11, 14-16 and 19 are currently pending.

REMARKS

Rejection of claims 11, 14-16 and 19 under 35 U.S.C. §101

Claims 11, 14-16 and 19 were rejected under 35 U.S.C. §101 as allegedly being directed to non-statutory subject matter. Claims 11, 16 and 19 have been amended herein to recite recordable media. Applicants respectfully assert that claims 11, 14-16 and 19 recite statutory subject matter under 35 U.S.C. §101.

Rejection of claims 1-11, 14-16 and 19 under 35 U.S.C. §103(a)

The examiner rejected claims 1-11, 14-16 and 19 under 35 U.S.C. §103(a) as being unpatentable over Tarui in view of Bealkowski. The independent claims herein have all been amended to include the language:

. . . inhibiting dispatch of tasks to the at least one logical partition without notifying the at least one logical partition and waiting . . .

In both Tarui and Bealkowski, the logical partitions themselves inhibit the dispatch of tasks, and therefore are notified of the inhibited dispatch of tasks. Tarui at paragraph [0084] states:

The partition-control program instructs the OS on the current partition to stop using the I/O adapter (Step 6000). The OS stops using the I/O adapter and disconnects the I/O adapter from itself (Step 6001).

We see from this language in Tarui that the partition-control program instructs the current partition to stop using the I/O adapter, which teaches away from the claims as amended, which recite inhibiting dispatch of tasks to the at least one logical partition without notifying the at least one logical partition. The claimed invention allows I/O reconfiguration to be performed in a way that is transparent to the logical partitions.

Tarui requires the logical partition to be aware of the I/O reconfiguration and to actively participate by stopping its usage of the I/O adapter. Tarui thus teaches away from the claims as amended.

As stated in Bealkowski at col. 9 line 62 to col. 10 line 4, when a partition decides it no longer requires ownership of a slot, the operating system selects the slot for removal from the partition. The operating system then quiesces the device in the slot to be removed from partition ownership. Bealkowski thus teaches away from inhibiting dispatch of tasks to a logical partition without notifying the logical partition. Because the logical partitions in both Tarui and Bealkowski control dispatch of tasks and are thus notified of the inhibiting of tasks, these references do not read on the pending claims as amended.

Conclusion

In summary, none of the cited art, either alone or in combination, teaches, supports, or suggests the unique combination of features in applicants' claims presently on file. Therefore, applicants respectfully assert that all of applicants' claims are allowable. Such allowance at an early date is respectfully requested. The Examiner is invited to telephone the undersigned if this would in any way advance the prosecution of this case.

Respectfully submitted,

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